

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADJUSTACAM LLC
Plaintiff

v.

AMAZON.COM, INC. *et al.*,
Defendants

Case No. 6:10-cv-329-LED

PLAINTIFF'S NOTICE OF CANCELLATION OF ASSERTED CLAIMS

Plaintiff AdjustaCam LLC ("AdjustaCam") respectfully notifies the Court of the following:

In this suit, AdjustaCam has asserted that Defendants infringe claims 1, 7 and 19 of U.S. Patent No. No. 5,855,343 (the "Asserted Claims"). The '343 patent has been involved in reexamination proceedings for some time. A recent Final Office Action rejected multiple claims, including the Asserted Claims, and indicated the allowability of multiple new and amended claims. Today, in response to the Final Office Action, AdjustaCam canceled the Asserted Claims so that a certificate of reexamination could issue concerning the allowable claims. *See* Office Action Reply at Ex. 1.

The foregoing raises substantial jurisdictional and mootness issues in this case, including whether the parties' pending Letter Briefs are moot. Accordingly, AdjustaCam is promptly notifying the Court of these recent actions. AdjustaCam has requested a meet and confer with the Defendants to discuss whether agreements can be reached regarding the status and future of this case.

AdjustaCam expects that additional filings will promptly be made relative to the foregoing, hopefully on an agreed or unopposed basis.

September 20, 2012

Respectfully submitted,

By: /s/ John J. Edmonds
John J. Edmonds – LEAD COUNSEL
Texas State Bar No. 789758
Michael J. Collins
Texas Bar No. 04614510
Stephen F. Schlather
Texas Bar No. 24007993
COLLINS, EDMONDS, POGORZELSKI,
SCHLATHER & TOWER, PLLC
1616 S. Voss Rd., Suite 125
Houston, Texas 77057
Telephone: (281) 501-3425
Facsimile: (832) 415-2535
jedmonds@cepiplaw.com
mcollins@cepiplaw.com
sschlather@cepiplaw.com

Andrew W. Spangler
State Bar No. 24041960
Spangler & Fussell P.C.
208 N. Green Street, Suite 300
Longview, Texas 75601
(903) 753-9300
(903) 553-0403 (fax)
spangler@spanglerlawpc.com

ATTORNEYS FOR PLAINTIFF
ADJUSTACAM LLC

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

September 20, 2012

/s/ John J. Edmonds
John J. Edmonds